

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney Docket No. 059027/0141

In re reissue patent application of

Raouf A. GUIRGUIS

Serial No: Not yet assigned

Application for reissue of U.S. Patent No.  
5,849,505, granted December 15, 1998

Filed: Herewith

For: LIQUID SPECIMEN CONTAINER AND ATTACHABLE TESTING  
MODULES

**REISSUE DECLARATION**  
**UNDER 37 C.F.R. §1.175**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Raouf A. GUIRGUIS, a citizen of United States of America, and President of LaMina, Inc., the present assignee and owner of U.S. Patent No. 5,849,505 declare that:

1. I believe that I am the original and first inventor of the subject matter described and claimed in U.S. Patent 5,849,505 and in the foregoing specification for which a reissue patent is sought on the invention entitled: LIQUID SPECIMEN CONTAINER AND ATTACHABLE TESTING MODULES.

2. I have reviewed and understand the contents of the above-identified specification, including the claims.

3. I acknowledge the duty to disclose information which is material to examination of the application in accordance with 37 C.F.R. §1.56(a).

4. I claim benefit under 35 U.S.C. §120 of U.S. Patent Application Serial No. 340,844, filed November 15, 1994, now abandoned, and U.S. Patent Application

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Serial No. 686,934, filed April 14, 1991, now U.S. Patent No. 5,429,803 which are of record in the file of my original Letters Patent 5,849,505.

5 There are no foreign applications or inventors certificates having a filing date before that of the applications on which priority is claimed.

6. I believe U.S. Patent No. 5,849,505 ("the '505 patent") is wholly or partly inoperative or invalid by reason of my claiming less than I had the right to claim in the patent.

7. One specific error is the absence of claims of a breadth and scope covering an apparatus which captures analytes.

8. More specifically, I now appreciate that I made errors by not claiming:

(reissue independent claim 22) An apparatus comprising:

a plurality of specimen collection containers defining a fluid flow path, intermediate ones of said plurality of specimen containers each having an inlet and an outlet,

wherein at least one of said plurality of specimen containers has chromatographic bed material for capturing at least one analyte.

(reissue dependent claim 23) The apparatus of claim 22, wherein a first of said intermediate containers has a filter disposed between its inlet and its outlet.

(reissue dependent claim 24) The apparatus of claim 23, wherein one of said specimen collection containers is a specimen cup, wherein said specimen cup is in fluid communication with the inlet of said first of said intermediate containers, wherein the outlet of said first of said intermediate containers is in fluid communication with the inlet of a second of said intermediate containers, and wherein the outlet of said second of said intermediate containers is in fluid communication with a pump.

(reissue dependent claim 25) The apparatus of claim 24, wherein the pump is a syringe.

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(reissue dependent claim 26) The apparatus of claim 22, wherein the container having chromatographic bed material is one of said intermediate containers, and wherein said chromatographic bed material can pass freely through the outlet of said intermediate container.

(reissue dependent claim 27) The apparatus of claim 26, wherein said container having chromatographic bed material includes a filter, wherein the filter of said container having chromatographic bed material is positioned at the inlet of said container having chromatographic bed material, and wherein said filter prevents said chromatographic bed material from passing through the inlet of said container having said chromatographic bed material.

(reissue dependent claim 28) The apparatus of claim 26, wherein said chromatographic bed material is a plurality of beads.

(reissue dependent claim 29) The apparatus of claim 22, wherein one of said specimen collection containers is a pump, and wherein said pump is in fluid communication with the outlet of a final of said intermediate containers.

(reissue dependent claim 30) The apparatus of claim 29, wherein said pump is a syringe.

(reissue independent claim 31). An apparatus comprising:  
a plurality of specimen collection containers defining a fluid flow path,  
intermediate containers of said plurality of specimen containers each  
having an inlet and an outlet;  
wherein at least one of said plurality of specimen containers has a filter for capturing cells, and wherein said plurality of specimen containers includes a pump which is in fluid communication with the outlet of a final of said intermediate containers.

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(reissue dependent claim 32) The apparatus of claim 31, wherein one of said specimen collection containers is a specimen cup, wherein said specimen cup is in fluid communication with the inlet of a first of said intermediate containers, wherein the outlet of said first of said intermediate containers is in fluid communication with the inlet of said final of said intermediate containers.

(reissue dependent claim 33) The apparatus of claim 32, wherein the pump is a syringe.

(reissue dependent claim 34) The apparatus of claim 32, wherein the at least one of said specimen containers having a filter for capturing cells is the first of said intermediate containers.

(reissued dependent claim 35) The apparatus of claim 34, further comprising:  
a slide,  
wherein the filter of said at least one of said specimen containers having a filter for capturing cells can be removed from said at least one of said specimen containers having a filter and positioned on the slide.

(reissue dependent claim 36) The apparatus of claim 32, further comprising:  
a lid removably secured to said specimen cup; and  
a luer lock,  
wherein said first of said intermediate containers is affixed to the lid, wherein the outlet of said first of said intermediate containers is connected to the inlet of the final of said intermediate containers by said luer lock.

(reissue independent claim 37) An apparatus comprising:  
a first housing having a first inlet and a first outlet, said first housing defining a first portion of a fluid flow path and having a filter disposed between the first inlet and the first outlet; and

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a second housing having a second inlet and a second outlet, said second housing defining a second portion of the fluid flow path and having chromatographic bed material disposed between the second inlet and the second outlet.

(reissue dependent claim 38) The apparatus of claim 37, further comprising:  
a specimen cup in fluid communication with the first inlet.

(reissue dependent claim 39) The apparatus of claim 38, wherein the specimen cup includes a lid from which the first housing extends into the specimen cup, and wherein said first housing has at least two perforations at different longitudinal points along its length.

(reissue dependent claim 40) The apparatus of claim 39, wherein the specimen cup is removable from the apparatus.

(reissue dependent claim 41) The apparatus of claim 37, further comprising:  
a pump in fluid communication with the second outlet.

(reissue dependent claim 42) The apparatus of claim 41, wherein the pump is a syringe.

(reissue dependent claim 43) The apparatus of claim 37, further comprising:  
a filter,  
wherein the chromatographic bed materials is a plurality of beads, wherein the plurality of beads are capable of capturing at least one analyte, and wherein the filter prevents the plurality of beads from passing through the inlet of said second housing.

9. I believe that the errors recited above and being presented for correction in this reissue application arose without any deceptive intention on my part.

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10. By this reissue declaration, I desire to seek broadened claims, and, specifically, submit new claims for broadening reissue as submitted in the reissue application herewith.

I hereby appoint Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Patricia D. Granados, Reg. No. 33,683; John P. Isacson, Reg. No. 33,715; Eugene M. Lee, Reg. No. 32,039; Peter G. Mack, Reg. No. 26,001; Brian J. McNamara, Reg. No. 32,789; Sybil Meloy, Reg. No. 22,749; George E. Quillin, Reg. No. 32,792; Bernhard D. Saxe, Reg. No. 28,665; Charles F. Schill, Reg. No. 27,590; Richard L. Schwaab, Reg. No. 25,479; Harold C. Wegner, Reg. No. 25,258; and Johnny A. Kumar, Reg. No. 34,649 as my attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith, and request that all correspondence be sent to FOLEY & LARDNER, 3000 K Street, N.W., Suite 500, Washington, DC 20007-5109 at (202) 672-5300.

The undersigned petitioner declares further that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Raouf A. GUIRGIS

Signature: 

Date: 12/13/2007

Residence:

9700 MEADOWCRE Dr. VIENNA, VA 22182

Post Office Address:

Citizenship:

USA